

AUG 29 2006

**FAX TRANSMISSION****DATE:** August 29, 2006**PTO IDENTIFIER:** Application Number 10/717930-Conf. #8279  
Patent Number**Inventor:** Naoyuki ENJOJI et al.**MESSAGE TO:** US Patent and Trademark Office/ MS Amendment**FAX NUMBER:** (571) 273-8300**FROM:** LAHIVE & COCKFIELD, LLP  
Anthony A. Laurentano/WEW/cfo**PHONE:** (617) 227-7400**Attorney Dkt. #:** TOW-050**PAGES (including Cover Sheet):** 11**CONTENTS:** Amendment in Response to Non-Final Office Action (8 pages)  
Transmittal (1 page)  
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PTO/SB/97 (08-04)

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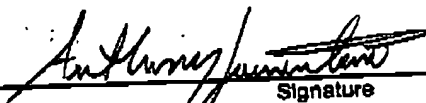
Attorney Docket No.: TOW-050

Application No. (if known): 10/717330

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Amendment in Response to Non-Final Office Action (8 pages)  
Transmittal (1 page)

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PTO/SB/21 (09-04)

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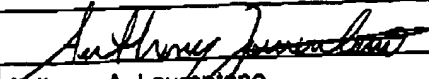
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|   |                      |                       |
|---|----------------------|-----------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | Application Number   | 10/717330-Conf. #8279 |
|   | Filing Date          | November 18, 2003     |
|   | First Named Inventor | Naoyuki ENJOJI        |
|   | Art Unit             | 1745                  |
|   | Examiner Name        | S. J. Kalafut         |
| Attorney Docket Number  |                      | TOW-050               |
| Total Number of Pages in This Submission  |                      |                       |

## ENCLOSURES (Check all that apply)

|  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks  |  |  |

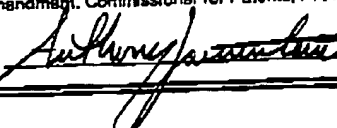
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|--------------|---|----------|--------|
| Firm Name    | LAHIVE & COCKFIELD, LLP   |          |        |
| Signature    |  |          |        |
| Printed name | Anthony A. Laurentano   |          |        |
| Date         | August 29, 2006   | Reg. No. | 38,220 |

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(Anthony A. Vagstadano)

Docket No.: TOW-050  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Naoyuki Enjoji *et al.*

Application No.: 10/717330

Confirmation No.: 8279

Filed: November 18, 2003

Art Unit: 1745

For: FUEL CELL STACK AND METHOD OF  
WARMING UP THE SAME

Examiner: S. J. Kalafut

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated May 30, 2006, please amend the above-identified U.S. patent application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.